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Congress of the United States
House of Representatives
Washington, DC 20515-2107
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President George W. Bush
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

The recent Severe Acute Respiratory Syndrome (SARS) epidemic in Asia has caused tremendous global health risks, upended international trade and travel, and illustrated the Chinese government's disdain for international norms of public health and trade. I am asking you to consider addressing these concerns in the two world forums that are charged with the mission of broadening global commerce and ensuring global health security and safety. In particular, I urge you to direct the United States Trade Representative at the next World Trade Organization (WTO) roundtable in September in Cancun, Mexico, to raise the issue of China's dangerous departure from well-understood public health procedures as a cause for concern among its WTO trading partners and to urge that the WTO make adherence to World Health Organization (WHO) guidelines a condition of continuing membership in this world body. The actions of China in response to the emerging threat of Severe Acute Respiratory Syndrome make clear the need to link public health and trade in international commerce.

In November 2002, what seemed to be the first cases of SARS in the Guangdong Province of China went unreported by the state-run media organizations. These media outlets were ready to print, but were stopped by Chinese officials worried that a public health scare would cause people to stay home instead of spending money during the Chinese New Year celebrations, adversely affecting its economy. By early February 2003, five people had died due to SARS, and at least 300 people were infected. On February 21, a doctor staying in a Hong Kong hotel spread the infection to other guests on his floor and died of the disease on March 4. In March 2003, senior Chinese officials maintained that the SARS virus was under control and China was open to and safe for travelers. On March 12, WHO officials issued a global alert about SARS, warning travelers to be careful, and on April 4, WHO cautioned against non-essential travel to Hong Kong and Guangdong. As late as April 28, China removed SARS patients from a Beijing hospital, hiding them from doctors and officials with the World Health Organization who were repeatedly not granted access to hospitals and other affected areas. Today, China has almost 5,000 SARS cases, 18,000 people quarantined, and a 15% fatality rate. The world community, outside China, has suffered from 3,000 SARS cases and nearly 250 deaths so far in 30 countries.

China's response clearly failed to meet the minimum expectation of members of the WHO. The WHO's Global Outbreak Alert and Response Network Guiding Principles provide that the WHO:

- "ensures outbreaks of potential international importance are rapidly verified and information is quickly shared within the Network;

- “there is a rapid response coordinated by the Operational Support Team to requests for assistance from affected state(s); and
- “partners make every effort to ensure the effective coordination of their participation and support of outbreak response.”

In no area can the Chinese government's five month cover up of SARS be seen as complying with these WHO guiding principles for responding to the outbreak of disease.

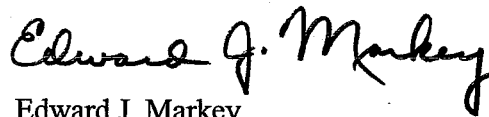
This needs to be immediately addressed by the WTO. Under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (WTO Agreement, Article 14, Annex A), the protection of “human or animal life or health within the territory of the Member from risks arising from diseases carried by animals, plants, or product” is a provision that is applied to food, animal, and plant safety, but it does not explicitly address the clear health dangers of human to human transmission of diseases. The Agreement affirms the desire by the WTO “to improve the human health, animal health and phytosanitary situation in all Members” (Introduction, WTO Agreement). The WTO recognizes that trade can be severely hampered by disease transmitted through food, animals, and plants. Trade has been and will be adversely affected by hiding public health crises.

I also urge you to direct our representatives to WHO to work to strengthen the ability of that body to challenge the kind of lack of cooperation demonstrated by China. In particular, the WHO was denied the most basic access by one of its own members to information on disease outbreaks. The Chinese government denied WHO's request to survey the affected provinces and hospitals in Beijing where SARS patients were hidden.

The immense cost of human life and public health safety and the tremendous damage done to the global economy is still unknowable. We do know, though, the cover up and continual withholding of information by the Chinese government has proven that it is impossible to disentangle public health, global trade, and travel from each other in world forums like the World Trade Organization and World Health Organization. As the global leader in trade, travel, and health services, the United States must make transparency a reality as a cost of doing business in the global community.

I hope to receive a response from your Administration on these important questions as soon as possible. Thank you for your attention to this matter.

Sincerely,



Edward J. Markey

CC: Ambassador Robert Zoellick, United States Trade Representative
 Dr. W. Steiger, Special Asst. to Secretary of Health and Human Services for Int'l Affairs
 Director-General Dr. Harlem Brundtland, World Health Organization
 Director-General Supachai Panitchpakdi, World Trade Organization